Commercial Advertiser

ALTER G. SMITH - - EDITOR.

SATURDAY : : JANUARY 31

NATIONAL DEFENSES.

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The Cabinet, in view of possible emergencies growing out of the Venezuelan question, has approved the proposal of the War Department to strengthen the coast defenses. Quite likely the plan will include the building of new forts in important strategic points not now provided for, a circumstance which should benefit Hawali, Porto Rico and the Philippines. In a general way the Atlantic, Gulf and Pacific coasts of the mainland are well-protected, the defenses embraced in the Endicott scheme being admirably planned. One may look to see, however, a substantial increase in the number of high-powered guns and of artillery regiments. The new Army bill calling for an expenditure of \$77,000,000 shows that Congress is awakening to all the needs of the

In the matter of ships as much or more is required than in the matter of shore defenses; but a condition precedent should be the enlistment of more officers and men. Germany has 45,000 trained seamen; the United States 23,000. It is the duty of Congress to bring the personnel of the Navy up to such a standard that when ships are built they can be adequately manned and officered. In such thorough preparation for war is a guarantee of peace.

Despite the disquieting signs at Washington, the Advertiser does not believe that any power will go to extreme lengths over 'the Venezuelan question so long as France maintains her present attitude and in view of the popular desire in Great Britain to act with the United States in all matters, not exclusively american or British, affecting the politics of the western hemisphere. One of the significant items in the current news is the diplomatic interchange between France and the United States. Members of the dreibund will not fail to notice this. It means that if the United States is too severely pressed it will simply throw in its fortunes with France and Russia and do its best to get up a vierbund with Great Britain as the fourth ally. nere would be no fighting that com bination.

At the same time defenses and the means of offence cannot be neglected. If the United States has made up its mind to stand by the Monroe doctrine, it must be able to do it effectively.

PAYMENT OF THE FIRE CLAIMS.

Our success in the passage by Congress of the Fire Claims bill is a rather uncommon event in the history of Congressional legislation. It is due to several causes. The very conservative awards made by the commissioners removed from the minds of Congressmen any suspicion that they were exaggerated. In addition to this, the influence of the Japanese and Chinese embassies in Washington was extremely powerful. influence reached Congress through the Executive and State Departments. As the Chinese and Japanese interests in the claims were large, the payment of a partial payment of them by the United States put the nation in the position of doing a friendly and generous act toward subjects of a monarch with whom we desire to be on the best of terms. The generosity of Congress will not be forgotten; it was an act of inexpensive diplomacy.

Aside from this, the influence of the Republican party within the Territory strengthened the presentation of the claims. Party interests are a strong make-weight in Congressional matters. The integrity of the claims enabled the Republicans in Congress to do the Republicans of Hawaii a good turn.

The statement about the fiscal agency published in this paper yesterday on the authority of Collector Stackable seems to have been an error, so far as the First National Bank and Mr. Spalding of the Spreckels bank are concerned. Mr. Stackable said to a reporter, in explanation, that he had probably misunderstood Mr. Spalding. In this connection it may be well to say that a reporter of the Advertiser was sent for by Collector Stackable to take down the interview, which the Collector wanted as a corrective of an article in an evening paper, and that the account simply contained what Mr. Stackable Language Legislature." I think he is stand English, and, being eligible under

Tomorrow Pain's mules will go out of the harness on the Waikiki line, legislature, the lower house without The rumor that Pain will give them a hay luau to remember him by can be promptly contradicted. The mules points of order, etc., made in conducting lish speaking and part Hawaiian. , By would never associate Pain in their the business of the house, and not the minds with anything to eat.

quotations in the Associated Press ser- understanding by the native members vice, two conspicuous errors in a week English speaking members of the re-

always manage to be or hand when the English or Hawaiian. What sense proceedings, of the legislature. The

ty cents a word.

"ALL LEGISLATIVE PROCEEDINGS SHALL BE CONDUCTED IN THE ENGLISH LANGUAGE."

This is a quotation from the organic act, and is all there is on the subject. Senator Dickey construes this to mean that "the actual work of the Legislature such as motions, resolutions, amendments, points of order, etc., made in conducting the business of the house, and not the speech making," shall

In support of his position he says that the Home Rule legislature construed the law in the same way that he does.

In further support thereof he cites a plank in the Territorial Republican platform recommending Congress:

"To amend the territorial act which provides that the English language only shall be used in the legislative proceedings so as to permit the use of the Hawaiian language."

Mr. Dickey is leaning on a broken reed when he depends on the Home Rule legislature for a construction of law; moreover, he is mistaken when he says that it construed the law in the same way that he does.

As a matter of fact it did nothing of the kind. It simply rode rough shod over the law, paying no more attention to it than if it had been a law or Dahomey. To the personal knowledge of the writer, motions were made, points of order raised and questions put in the Hawaiian language, frequently without being translated into English. In fact, during the latter half of the session practically all of the motions put from the chair of the Senate were in Hawaiian. As a rule the question was translated into English, but as all the white members knew enough Hawaiian to understand the question, this unnecessary procedure was not infrequently omitted.

Frequently, the entire proceedings of every kind-speeches, motions and every thing else, were carried on exclusively in Hawaiian for many minutes at a time, an occasional fragmentary interpretation being insufficient to keep a person who did not understand the native language informed as to what

So far from construing the law as Mr. Dickey does, the Home Rule legislature avowedly ignored the law, but advanced the flimsy claim that so long as the clerk's record was in English, the courts could not go behind the record to inquire as to what language was used.

As to the Republican plank, it is a clear recognition of the fact that the law now requires proceedings to be in English. If not then why ask Congress to amend.it? If the legislature can lawfully carry on its business in the same way that the Home Rule legislature did, and Mr. Dickey claims that it can, what need of amendment is there?

Mr. Dickey's definition of "proceedings," is a hair-splitting quibble, a trifling with the law; an incorrect meaning of the word and weak as a votegetting political move.

WHAT CONGRESS MEANT.

Inspection of the organic act demonstrates that when Congress said, "All proceedings shall be in English," it meant just what it said. It meant that the dual nationality-the dual language, which had up to that time been one of the fundamental principles of the Hawaiian government, should be abolished, and that but one nationality-American-and one language-English-should hereafter be recognized in the government of Hawaii.

This intention is manifested in the following additional provisions of the

(1) Elaborate statutes provided for native juries, foreign juries and mixed nationality juries, for the trial respectively, of natives, foreigners, and of causes between natives and foreigners, and many decisions of court interpreted these statutes. A sweeping clause of the organic act repeals all of these laws, and substitutes in place thereof:

"All juries shall hereafter be constituted without reference to the race or place of nativity of the jurors; but no person who * * * can not understandingly speak, read and write the English language shall be a qualified juror or grand juror in the Territory of Hawaii,"

(2) Sections 1173 to 1178, inclusive, of the Civil Code, provide in great detail for the translation, printing and publication of court decisions, in the Hawaiian language, and providing a salary of from \$7,000 to \$10,000 for the

The organic act repeals all of these sections. These provisions in conjunction with the direct requirement that "All legislative proceedings shall be conducted in the English language," plainly

manifest what the intent of Congress was. Mr. Dickey argues that because a man who speaks Hawaiian only, can vote, and is eligible to election to the Legislature, there would be "no sense" in electing a man who did not have "a full understanding of the speeches and proceedings in the house." Mr. Dickey is right. There is no sense in electing such a man; but that does not change the law which says the proceedings SHALL be in English!

Congress left the voters a wide discretion. They can elect a man who is deaf, dumb and blind; they can elect a gambler, an embezzler and a horsethief-provided he has not been legally convicted; they can elect any hairbrained, harum-scarum adventurer who has escaped the criminal courts, if they choose to do so, and they have in some instances availed themselves of their privileges. There "would be no sense" in electing that kind of a representative; but Congress has not undertaken to compel voters to act sensibly. Following the methods of the Almighty, it has allowed the voters a liberal choice. If a sinner elect to so act as to land in perdition, he has the right to do so, even though there is "no sense" in doing it. If the voters choose to elect a man who will be a dummy in the Legislature, they have the power to do so, and the fact that there is "no sense" in doing it, does not help either the dummy or the foolish voter who sent him there.

THE MEANING OF "PROCEEDINGS."

If Mr. Dickey's version is adopted, that all "motions, resolutions, amendments, points of order, etc., made in conducting the business of the house" shall be in English, and English only, but that this does not include speeches, then he is in the predicament of allowing a speech to be made in Hawaiian, or in English and translated into Hawaiian, but the motion to which the speech is directed, or the point of order made against the substance of the speech and the question putting the motion which is being debated, must be exclusively in English. In other words, according to Mr. Dickey's program, the non-English speaking legislator can legally talk all that he wants to in Hawaiian, about a motion; but he cannot legally be informed in the only language which he understands, what the motion is; what the parliamentary objections to his speech are, nor when the motion is to be put. This is as logical as allowing a man to go to heaven with a free mouth, so that he can make music for others, but with his eyes and ears sealed, so that he can neither hear nor see the glories around him. But the meaning of the word "proceedings" does not allow of any such illogical hair splitting as this.

If Mr. Dickey had been a member of the "literary staff" of a daily paper, and had been detailed to report the proceedings of the public meeting recently addressed by Senator Thurston, according to his theory, he would have turned in copy in the following words: "Meeting met. Thurston spoke. Meeting adjourned." What Senator Thurston said would not have been a part of the

Proceedings may be full or they may be condensed; but they consist of the details of what takes place, and what is said at a megting cannot be ignored as a part of the proceedings without reducing the argument to an

Honolulu, January 29, 1903. Editor Advertiser: I was pleased to see the protest of Kelekolio in this the Advertiser on the subject of a "One

in the English language, and the last protest, construed this to mean the actual work of the legislature, such as

ate, overwhelmingly Republican, an in-The Advertiser has shut off its sugar terpreter was appointed to secure a full of the English speakers, and by the being two too many to pay for at twen- marks of the Hawalian members.

I consider this perfectly proper. The Organic Act made any person eligible almost unanimously in favor of the to the legislature who, having the other Hawaiian language being allowed, not If Deputy Sheriff Chillingworth can qualifications, could read or write only in the speeches, but also in the would there be in electing a person to point is fully covered in plank 1; of the burglar arrives, there won't be any- would there be in the legislature if he is not to be allowed Republican platform:

Mr. Dickey on Proceedings in English and proceedings in the house. If Congress had intended such a thing it should have been stated clearly.

The fact is that many of the most morning's issue against the attitude of reliable and intelligent Hawaiians fifty years of age and over do not underthe Organic Act for election, they The Organic Act requires that all leg- should not be deterred from running by islative proceedings shall be conducted the fear that if elected they would not

resolutions, amendments, as long as our legislature is part Eng-At the late special session of the Sen- should be always interpreted, but the terpreting these may be well saved.

The electorate of the Territory is largely Hawaiian, and Republican Ha-

a full understanding of the speeches "We earnestly ask the Congress of the

United States to amend territorial act which provides that the English language only shall be used in the legislative proceedings so as to permit the use of the Hawaiian language.' Let our legislators know what they are about, and don't compel them to work in the dark. C. H. DICKEY, Republican Senator, Third District.

Pains in the Back

Are symptoms of a weak, torpid or stagnant condition of the kidneys or liver, and are a warning it is extremely hazardous to neglect, so important is a healthy action of

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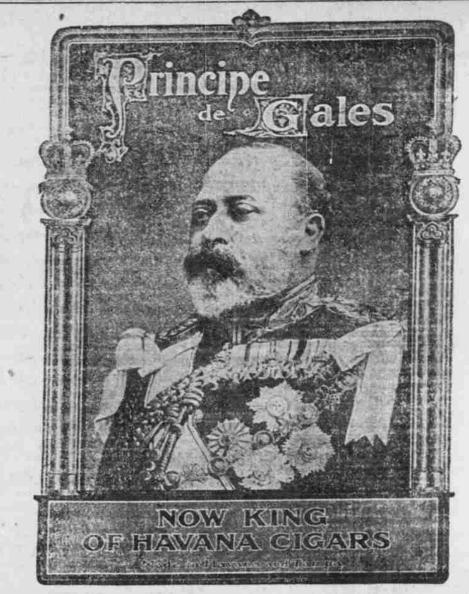
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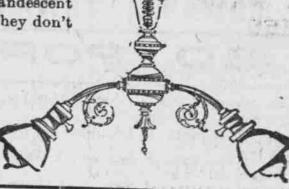
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